

REMARKS

In response to the Official Action dated 04 / 15 / 05, the above-identified application has been amended. Review and reconsideration are requested in view of the above amendments and following remarks.

Section 101 Rejection

The Examiner rejected claims 1-3 under 35 U.S.C 101 as being unpatentable because nothing tangible is being transformed, just abstract action words are used. The tangible item being transformed is the words making up the common title, phrase, etc. These words could and probably would be in written form before transformation in the creation process described by this application as well as after transformation for presentation to the student. See also Patent Number 6,669,486 Frankenberry, et. al., December 30, 2003 "Method of Instruction." This method found to be patentable has as its core similar steps including "training the learner," "use something," and "perform the activity." This patentable invention also has no tangible item associated with it similar to the words being assembled, manipulated, and displayed in the present application.

The Examiner also rejects as the method not being concrete because there is no evidence that the method necessarily increases the student's vocabulary. Pre-marketing studies of SESQUIP performed by the inventor indicated that 91% learn new words and 75% say that is an added motivation to play. Martin Duggin, Producer, host of "Donnybrook" KETC (PBS), St Louis; Retired editor of the daily St Louis Globe Democrat says: "If you master SESQUIP you could talk and write like William F Buckley Jr., the man who uses every word in the dictionary." In addition, SESQUIP has been tremendously popular showing up in many local newspapers.

Section 102(b) Rejection

The examiner rejects as being anticipate by Alam. Alam teaches word construction by the combination of prefix, word roots, and suffixes. It does not teach whether any particular combination of prefix, word root, and suffix forms a word that exists in human language. It also teaches how to develop a meaning by knowledge of the word roots. The present invention goes further. The present invention teaches the participant the meaning of complex words that do exist within the human language through examination and evaluation within the context of something that the participant is familiar with such as a song or movie title, or a common phrase.

The examiner alternatively rejects that the present invention is anticipated by Mankoff. In Mankoff, the vocabulary building card includes a word and a plurality of definitions from which to choose. In this game, by process of elimination, the correct definition is found. This is different than in the present invention. In this application, the definition is not sitting in front of the reader to determine through process of elimination. The word meaning is found from the student's existing vocabulary and evaluation within the context of the title, word, phrase, etc. Help with some of the words can be obtained by use of the definitions aiding in the development of the participant's vocabulary in two ways. First from providing the definition of a complex word and aiding in the participant's context formation which aids in the discovery of the remaining definitions.

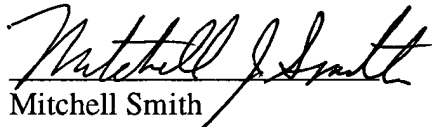
In both Alam and Mankoff, the claimed invention is the game. In this present application, the claimed invention is the process by which the educational materials are developed and presented to the participant. Any of a number of ways to present the material can be anticipated by the present application including cards, computer representations, newsprint, books, etc.

CONCLUSION:

The undersigned has made a diligent effort to amend the application as required to overcome the objections of the examiner. *If, for any reason the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 707.03(d) in order that the application be placed in allowable condition as soon as possible and without the need for further proceedings.*

Accordingly, withdrawal of the rejections is respectfully requested and allowance of claims 1-3 is requested at as early a date as possible. This is intended to be a complete response to the Office Action dated 04 / 15/ 05.

Respectfully submitted,


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Certificate of Mailing

I hereby certify that this Amendment is being deposited with the United States Postal Service in an envelope addressed to the Commissioner of Patent and Trademarks, PO Box 1450, Alexandria, Va.. 22313-1450 with sufficient first class postage thereon on the date shown below.

Date. 10/18/05 
Mitchell Smith